

**Ordinance No. 2016- 4385**

**An ordinance of the City of Sanford, Florida relating to Public Works of Art; creating a Public Art Commission; providing for an array of matters relating to the Commission such as powers, processes and procedures; providing for legislative findings and intent; providing for implementing administrative actions and responsibility for implementation; providing for a savings provision; providing for conflicts; providing for codification and the correction of scrivener's errors; providing for severability and providing for an effective date.**

**Be It Enacted By The People Of The City Of Sanford, Florida:**

**Section 1. Legislative findings and intent.**

A. The City Commission of the City of Sanford hereby adopts and incorporates into this Ordinance the City staff report and City Commission agenda memorandum relating to this Ordinance.

B. The provisions of this Ordinance are enacted pursuant to the statutory and home rule powers of the City to establish and maintain the appropriate operations of the City.

C. The City of Sanford has complied with all requirements and procedures of Florida law in enacting and advertising this Ordinance.

D. The City hereby finds that it possesses the unique aesthetic of a diverse creative class and wishes to increase its potential by increasing the quantity and quality of public art works on display in Sanford's public places, catalyze high quality arts programming, provide support for existing arts organizations, arts initiatives and artists, and to increase "Arts & Culture" tourism.

E. The City hereby establishes that the intent of this City in establishing this Ordinance is to establish a policy of the City which is complementary to the vitality and

cultural ambiance for which it is highly recognized, to enhance and expand public experience and exposure to culture through various art forms, to enhance the appearance of public facilities and places and improve the artistic and cultural environment of the City for its citizens through a variety of art forms, including but not limited to visual and performing arts.

F. The City further hereby finds that the following goals and objectives are important to the health, safety and welfare of its citizenry:

- Advance “Arts & Culture Tourism” in Sanford.
- Increase public awareness of and interest in the arts.
- Foster artistic creativity.
- “Creative Placemaking” by using public art to develop Sanford as an area where people want to live, work and play.
- Attract and retain a creative workforce.
- Improve the quality of life within the City through arts.
- Broaden the role of the artist in the community.
- Develop an image of the City as an arts destination.
- Reflect the diversity of the City of Sanford and its citizens.
- Incubate arts programs and arts related businesses.
- Encourage civic engagement while inspiring creativity and conversation.
- Improve the quality of the urban environment and increase real property values.
- Ignite community engagement.
- Provide guidelines for public displays of art, including: murals.

**Section 2. Amendment to *City Code* relating to public art and related matters.**

The following provisions are added to the *City Code of the City of Sanford, Florida* as follows:

**Definitions.**

A. The following definitions shall be used in the administration, implementation and interpretation of this Ordinance:

(1) *Adoption* refers to the process by which the Public Art Commission considers Public Works of Art for inclusion into the Public Art Collection which may be owned either by the public or private sector, but which would benefit from being cared for, supported and promoted through becoming part of the Public Art Collection.

(2) *Acquisition* means the inclusion of Work of Art in the City's Public Art Collection, whether the acquisition was by commissioning, purchase, donation or any other means.

(3) *Art Easement* means an easement for the purpose of installing, maintaining, operating and exhibiting Public Works of Art on and in real property within the City limits of Sanford, including any building and structure thereon as an approved location for a Public Work of Art by the City.

(4) *Commercial Message* is any message that advertises a business conducted, services rendered, or goods produced or sold.

(5) *Commission* means the City of Sanford Public Art Commission.

(6) *City Facility* for the purposes of the public art refers to publicly-accessible facilities owned and operated by the City of Sanford including, but not limited to, buildings, parks, public spaces or public works which are physically or visually accessible to the general public.

(7) *Decommission* is the process by which the Public Art Commission removes Public Works of Art from the Public Art Collection.

(8) *Disposal* means the cessation of the ownership and possession of a Work of Art by the City.

(9) *Notice of Acceptance* is the written notification to an artist that his or her project is complete and that the Work of Art has been accepted by the City for display at a City Facility or on Publicly Owned Property.

(10) *Mural* means any inscription, artwork, figure, wall mural, graffiti, marking, hand-painted, hand-tiled, digitally printed restorative image or design, including mixed media, which is observable from the public right of way or from a public space.

(11) *Popup Art Project* means a temporary public art installation or exhibit on display less than seven (7) days.

(12) *Property* means any public property or any private property which is observable from the public right of way or from a public space.

(13) *Prospectus* is the term used to describe the articulation of the Public Art Commission of what is desired in a particular Work of Art. It is generally a solicitation for responses in either the form of a request for proposals or a request for qualifications. The *Prospectus* should include

elements such as the site, the desired medium for the artwork, a theme or other desired qualities which may help artists in responding to the range of needs affecting a Public Art Project, the funding source and budget amount and artist eligibility requirements. A *Prospectus* shall generally be developed for every project of the Public Art Commission, including those pertaining to donations, acquisitions of existing Public Works of Art or direct selections of artists.

(14) *Public Art Collection* includes the City's collection of Public Works of Art, representing a broad variety of media and styles and support community interests in having an aesthetically enhanced environment.

(15) *Public Art Project* means a facility, amenity or project which is either an approved Public Art Project, Pop Up Project or Public Work of Art as defined herein or approved pursuant to Schedule K of the sign code.

(16) *Public Art Selection Criteria* means the evaluative categories established by the Public Art Commission for a public art project.

(17) *Publicly Owned Property* refers to facilities or grounds which are not the property of the City of Sanford but are owned by other governmental agencies or private property on which City of Sanford public art projects may be sited with the permission of the owner; these include joint use facilities of the City and facilities of other public entities such as Seminole County, the Seminole County School District, the State of Florida, or other private facilities or properties where necessary public art

easements have been obtained in a form approved by the City Attorney with the permission of the owner.

(18) *Request for Proposals (RFP)* is a type of Prospectus that solicits Public Works of Art proposals from artists. The RFP can be an effective way to consider and evaluate the appropriateness of an artist's concept when certain parameters of a project warrant detailed information.

(19) *Request for Qualifications (RFQ)* means the type of Prospectus that solicits qualitative information from artists for further consideration of art concepts. The RFQ does not anticipate that artists prepare or present specific project ideas based on limited information provided in the Prospectus.

(20) *Public Work of Art* means all public display of artwork such as murals, statuary and similar items which are located wholly or partially outside and which are not intended to meet the definition of a sign as defined in Schedule K of the City of Sanford Code and must be approved by the Public Art Commission, unless allowed in accordance with the requirements for the outdoor storage or display of merchandise specified in Schedule B, or unless the City Manager or designee determines that they are customary yard or building accessories. No items shall be approved by the Public Art Commission unless the Public Art Commission determines that the item:

- (a) Is a Work of Art as defined herein; and
- (b) Is not a sign as defined in Schedule K; and

(c) Is compatible with the character of the surrounding area (particularly in residential areas) in terms of its size, style, colors, materials, general appearance, and location; and

(d) Has no greater than 5% square footage area of commercial message.

(21) *Work of Art* means any work of art including, but not limited to, a drawing, painting, mural, fresco, sculpture, mosaic, photograph, work of calligraphy, work of graphic art (including, but not limited to, an etching), works in clay, textile, fiber, wood, metal, plastic, glass, and like materials, or mixed media (including a collage, assemblage, or any combination of the foregoing art media). For projects which involve no structure, *Work of Art* may include a combination of landscaping and landscape design (including some natural and manufactured materials such as rock, fountains, reflecting pools, sculpture, screens, benches, and other types of street furniture). Except as provided herein, the term *Work of Art* can include environmental landscaping or ephemeral arts such as dance, voice, music, poetry or other forms of art.

B. In addition to the definitions set forth in Subsection A., the definitions set forth in Florida Law (*Florida Statutes* and *Florida Administrative Code*) as well as set forth in the *City Code* shall be applied and used in the implementation of this Ordinance and the promulgation of administrative rules.

### **Public Art Commission**

A. Purpose: The Public Art Commission is responsible for making recommendations to the City Commission regarding acquisition of Public Works of Art for display at City facilities and regarding programs and facilities which further development of the arts within the City as well as enhance the future vision of the City as it relates to arts, including those currently existing Public Works of Art on public display within the City limits. The Commission shall have the power and authority to establish rules and guidelines which are necessary to carry out the purposes of the Ordinance. The Commission shall advocate for the program and the process and the procedures that guide the acquisition and care of public art. The Commission shall endeavor to develop a collection of public art that is of the highest quality that will encompass a broad aesthetic range reflecting the City and the minds of its citizens that will improve the quality of life in the City, that will be accessible to all individuals, and be a source of pride to all residents. The approval for, easement relating to or acquisition of any Public Work of Art shall not be an endorsement of any message contained therein by the Public Art Commission or the City of Sanford.

B. Public Art Commission Duties: The Public Art Commission shall meet at least monthly either in workshop or regularly scheduled meeting and shall have, at a minimum, the following responsibilities:

- (1) Develop public art projects for display at City Facilities and Publicly Owned Property which enhance the urban environment of public spaces within the community and the further the tourist and economic potential of the City of Sanford.

(2) Ensure that the Public Art Collection reflects the diverse spectrum of beliefs, cultural heritage and traditions, and artistic expressions of the City of Sanford and its environs.

(3) Adhere to all federal, state and local laws and all legal requirements relating to artists and Public Works of Art.

(4) Identify and pursue additional sources of funds and donations of Public Works of Art.

(5) Inform the public of public art opportunities and allow public participation in all phases of the City's public art process. To further this end, a placard sign giving notice at least 10 days prior to a public meeting on any application to be considered by the Commission shall be erected on the premises where the Public Work of Art is proposed to be placed. Such placard signs shall be furnished by the Planning Department; shall be weather resistant; shall have a minimum size of 11 by 17 inches; shall show the application number, a statement of the proposed action, the scheduled date, time and place of the meeting, and the telephone number to call for further information. Such placard signs, to the extent practicable, shall be erected within 10 feet of any traveled public right-of-way. The lower edge of the sign shall, to the extent practicable, be of sufficient height to be read from the roadway. The placard sign shall not be removed from the premises until a decision on the application has been rendered by the Commission. The Commission shall develop other means and methods to involve the public in its proceedings and deliberations.

- (6) Promote a variety of art forms in the City and endeavor to increase understanding within the City about Public Works of Art through programs such as art outreach education, media and social events.
- (7) Document, maintain and conserve Public Works of Art in the Public Art Collection, and make the Collection available to the public through a variety of media.
- (8) Develop opportunities for local artists through a wide array of events such as consortiums, retreats, conferences, conventions, seminars, workshops, educational events and festivals.
- (9) Work with other organizations to promote Public Works of Art such as, but not limited to: the Sanford Historic Preservation Board, the Sanford Community Redevelopment Agency, and other art and cultural organizations.
- (10) Develop a comprehensive Public Art Master Plan to establish particular parameters, themes or objectives relating to obtaining and maintenance of Public Works of Art for display at City Facilities and Publicly Owned Property and set out future goals of the Commission, including: the creation of an Office of Cultural Affairs.
- (11) Further public accessibility to Public Works of Art by developing comprehensive policies and procedures which establish specific parameters or objectives in relation to particular genres of Public Works of Art such as murals, digital and temporary art installations and other forms of cultural assets or expressions.

(12) Provide an annual report to the City Commission relating to the display of Public Works of Art at City Facilities and Publicly Owned Property and other activities of the Public Art Commission which report shall include, at a minimum, an evaluation of the condition, relevance and appropriateness of Public Works of Art that are on display.

(13) Establish various forms of committees to advise the Commission and assist in carrying out its goals and purposes as necessary.

(14) Administer a program for review of public art installations of Public Works of Art with appropriate public art selection criteria.

**Funds; Earmarking; Public Sector and Private Sector Donations:**

A. The Finance Director shall establish a “Public Art Fund” in which funds appropriated or donated for the purposes of public art shall be deposited.

B. Funds for Public Works of Art projects may be identified or solicited from other public sector agencies, private foundations and granting bodies, businesses, organizations or individuals of every type or nature.

C. The Commission may seek private donations of funds, artwork, publicly awarded funds or services including, but not limited to, in-kind services.

D. Funds for Architectural Enhancement and Public Works of Art:

(1) Except as provided herein, all estimates for the construction or renovation of capital projects and all requests for authorizations or appropriations for such capital projects shall include an amount for contribution to the Public Art Fund which represents a combined amount for Public Works of Art, architectural enhancement or special landscaping

treatment equal to one percent (1%) of the total estimated cost of the capital project.

(2) The one percent (1%) calculation shall only apply to construction or renovation of capital projects which have an estimated construction cost of at least \$50,000.00 and shall not apply beyond the first \$50,000,000.00 of any projects with an estimated cost in excess of \$50,000,000.00.

(3) The Public Art Fund requirement shall only apply if such an expenditure is legally permissible for that project and under the specific project funding sources of the capital project. If the source of funding or other appropriate law with respect to any particular project precludes art as an appropriate expenditure of funds, the amount of funds so restricted shall be excluded from the aforesaid calculation.

(4) Said Public Works of Art, architectural enhancement or special landscape treatment provided for above in section (1) may be integral parts of the building; situated within or outside the building, may be located in or near government facilities which have already been constructed, or may be located in other public places where the public may experience them.

(5) The location of Public Works of Art, architectural enhancement or special landscape treatment paid for out of project funds at a site other than the specific project site requires a prior finding by the Public Art Commission that the location of Public Works of Art, architectural enhancement or special landscape treatment at the specific project site is

inappropriate for that particular project, that it serves a municipal purpose to locate such are objects or improvements elsewhere, and that it is an appropriate use of those particular funds.

E. Funds for Architectural Enhancement and Public Works of Art which are placed into the Public Art Fund may be expended for the development of a Public Art Master Plan for the City of Sanford Public Art Commission and any necessary updates to said plan.

### **Rules Relating To Public Art Commission.**

A. The Public Art Commission shall not discriminate against any artist on the basis of race, color, religion, national origin or ancestry, disability, age, gender, veteran status, sexual orientation or medical condition.

B. Installations of Public Works of Art, meeting the definitions contained herein which are approved by the Public Art Commission and registered with the Public Art Commission pursuant to the requirements of this Ordinance are not considered signs and therefore are not subject to the provisions of Schedule K of the Code of Ordinances or any other Ordinance that regulates signs within the Code of Ordinances.

C. Any currently existing mural within the City limits shall be considered grandfathered and exempt from the review requirements of this Ordinance for a period of ninety (90) days after the enactment of this Ordinance. Thereafter, it shall be considered an unlawful sign until such time as it may be approved by the Public Art Commission and is subject to compliance with all appropriate provisions of the Code of Ordinances of the City of Sanford.

D. An approved Art Easement from the Public Art Commission shall be required for the installation of Public Works of Art except Pop Up Art Projects.

E. An approved time/place/manner approval from designated City Staff shall be required for the installation of a Pop Up Art Project.

F. City Staff shall maintain a current list of approved Public Works of Art.

G. Proposals for Public Works of Art submitted to the Public Art Commission which include subject matter such as the apparent representation of violence,

inappropriate nudity, denigration of individuals or cultures, or desecration of significant cultural symbols, will be reviewed for their appropriateness for Public display.

H. All new or existing Public Works of Art which are on Public property or visible from a public right of way within the City limits of the City of Sanford larger than three (3) feet tall, three (3) feet wide, or (9) square feet, in aggregate or in series, must receive prior approval from the Public Art Commission through an Art Easement. Public Works of Art of less than the size specifications set out above shall be exempt from application of this Ordinance until such time as they exceed the in aggregate or in series specifications set out above. For Public Works of Art, an approved Art Easement must be entered into and issued by the Public Art Commission prior to installation. Once an approved easement is entered into and executed, the Public Work of Art shall be deemed to be government speech accepted for presentation in a public space.

I. Pop Up Art installations which are larger than three (3) feet tall, three (3) feet wide, or (9) square feet, in aggregate or in series, shall not be required to receive approval from the Art Commission but must apply for and receive an approved time/place/manner approval from the City through review by City Staff before any exhibit or installation. Once the Staff Approval is issued and executed, the Pop Up Work of Art shall be deemed to be government speech accepted for presentation in a public space.

J. As required by controlling Florida law, the Public Art Commission shall receive public comment and feedback. The final vote for selecting Public Works of Art shall remain solely with the Public Art Commission. Any appeal of a decision made by the Public Art Commission may be made to the City Commission within ten (10) days of notification of denial by the Public Art Commission.

K. Proposals for new or existing Public Works of Art submitted to the Public Art Commission must have permission from the property owner, or the Public Work of Art shall be unlawful and punishable by law or other code enforcement action.

L. The Public Art Commission may promulgate and adopt administrative rules as appropriate that are deemed to be reasonable and necessary for the implementation of this Ordinance using the definitions set forth in this Ordinance.

M. This Ordinance will not permit or allow any type of illegal sign, irrespective of artistic content.

N. All conservation and maintenance of Public Works of Art shall be the responsibility of the property owner. If a Public Work of Art is permitted to remain in a condition of disrepair, it shall constitute a public nuisance and be subject to appropriate legal enforcement action pursuant to City Code and Florida Statutes.

O. An application form must be submitted for review by the applicant for Public Works of Art to the Public Art Commission. The application must contain, at a minimum, the following information but may be amended administratively from time to time:

- (1) Name and address of the creator of the Public Work of Art.
- (2) Name and address of the owner, operator, and person in possession of the premises where the Public Work of Art is to be located.
- (3) Clear and legible drawings with description definitively showing the location of the Public Work of Art which is the subject of the application and all other existing Public Works of Art on the property.

(4) Drawings showing the dimensions, construction supports, sizes, foundation, electrical wiring and components, materials of the Public Work of Art and method of attachment and character of structure members to which attachment is to be made. The design, quality, materials and loading shall conform to the requirements of the Building Code, as amended. If required by the Public Art Commission, engineering data shall be supplied on plans submitted certified by a duly licensed structural engineer.

(5) Whether the Public Work of Art will be permanent or temporary in nature.

(6) Signed acknowledgement to abide by all Public Art Commission requirements, City of Sanford Codes and Ordinances and execute all necessary documents.

P. Any approval issued by the Public Art Commission will expire two years after issuance if the approved Public Work of Art has not been installed, or 180 days after issuance if the Public Work of Art has not been commenced. The approval shall also expire if it is determined by City Manager or designee that the project has been suspended, discontinued, or abandoned for a consecutive time period of 180 days.

Q. Pop Up or Temporary Art Projects: Planning staff shall have delegated authority from the City Commission to review Pop Up Art Projects through an applications process and issue time/place/manner approvals for Pop Up Art Projects, which will therefore constitute government speech if approved. Staff shall only grant approval for those projects which are in compliance with all City Codes, including

Schedule E, Section 20.0, if applicable. Any approval issued for Pop Up or Temporary Art will expire two weeks after issuance. An application form must be submitted for review to City Planning Staff by the applicant at least two (2) business days before the exhibit. The application must contain, at a minimum, the following information but may be amended administratively from time to time, IF APPLICABLE:

- (1) Name and address of the creator of the Public Work of Art.
- (2) Name and address of the owner, operator, and person in possession of the premises where the Public Work of Art is to be located.
- (3) Clear and legible drawings with description definitively showing the location of the Public Work of Art which is the subject of the application and all other existing Public Works of Art on the property.
- (4) Drawings showing the dimensions, construction supports, sizes, foundation, electrical wiring and components, materials of the Public Work of Art and method of attachment and character of structure members to which attachment is to be made. The design, quality, materials and loading shall conform to the requirements of the Building Code, as amended.
- (5) Signed acknowledgement to abide by all Public Art Commission requirements, City of Sanford Codes and Ordinances and execute all necessary documents.

R. No approval shall be issued for installation of a Public Work of Art or Pop Up Art Project if there are outstanding code enforcement violations, fines, fees, taxes or any other charges due and owing to the City by the applicant or the owner of the real

property on which the Public Work of Art or Pop Up Art Project is to be located. All outstanding debts to the City shall be paid in full prior to issuance of approval.

S. Upon approval, an art easement shall be entered into between the City and the property owner in a form approved by the City Attorney and recorded in the Public Records of Seminole County, Florida for installation of Public Works of Art. Pop Up Art Projects installations shall not require recording in the Public Records of Seminole County.

T. With regard to properties or structures located within the Historic District and which are subject to the Historic Preservation regulations contained in Schedule S, the Public Art Commission shall review proposed Public Works of Art. The Historic Preservation Board shall have review authority over a proposed Public Work of Art only to the extent regulations in Schedule S are implicated and a Certificate of Appropriateness is required.

**Section 3. Implementing Administrative Actions.**

The City Manager, City Clerk and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to bring into effect the provisions of this Ordinance including, but not limited to, the promulgation of administrative rules.

**Section 4. Savings.**

The prior actions of the City of Sanford relating to the placement of public art and all similar or related matters are hereby ratified and affirmed.

**Section 5. Conflicts.**

All Ordinances or part of Ordinances in conflict with this Ordinance are hereby repealed. Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Ordinance or statute, the most restrictive requirements shall apply.

**Section 6. Severability.**

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise to be invalid, unlawful, or unconstitutional.

**Section 7. Codification; Scrivener's Errors.**

A. The provisions of Section 1 and Section 2 of this Ordinance shall be codified and all other sections shall not be codified; provided, however, that the instructions in the text of this Ordinance shall also be subject to action by the Code codifier.

B. The sections of this Ordinance may be renumbered or re-lettered and the word Ordinance may be changed to section, article or some other appropriate word or phrase to accomplish codification.

C. The divisions and provisions of this may be renumbered or relettered in the absolute discretion of the Code codifier.

D. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney,

may be corrected with the authorization of the City Manager, or designee, without the need for a Public Hearing.

**Section 8. Effective Date.**

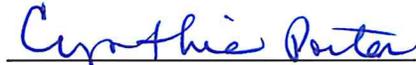
This Ordinance shall take effect immediately upon passage and adoption.

**Passed and adopted** this 22<sup>nd</sup> day of August, 2016.

**City Commission of the City of  
Sanford, Florida  
Seminole County, Florida**

  
\_\_\_\_\_  
Jeff Triplett, Mayor

Attest:

  
\_\_\_\_\_  
Cynthia Porter, City Clerk

Approved as to form and  
Legality:

  
\_\_\_\_\_  
William L. Colbert, Esquire  
City Attorney



WS	__	RM	__	X	__
Item No.	7.A				

**CITY COMMISSION MEMORANDUM 16-254  
AUGUST 22, 2016 AGENDA**

**TO:** Honorable Mayor and Members of the City Commission  
**PREPARED BY:** Christine Dalton, Community Planner/Historic Preservation Officer  
**SUBMITTED BY:** Norton N. Bonaparte, Jr., City Manager *TB DCM*  
**SUBJECT:** Public Art Ordinance

**STRATEGIC PRIORITIES:**

- Unify Downtown & the Waterfront
- Promote the City’s Distinct Culture
- Update Regulatory Framework
- Redevelop and Revitalize Disadvantaged Communities

**SYNOPSIS:**

Ordinance No. 4385, to adopt the Public Art ordinance, is being presented for second reading and adoption.

**FISCAL/STAFFING STATEMENT:**

The Public Art Ordinance includes a provision for “Funds for Architectural Enhancement and Works of Art”. If approved, all estimates for the construction or renovation of capital projects and all requests for authorizations or appropriations for such projects shall include an amount for contribution to the Public Art Fund which represents a combined amount for works of art, architectural enhancement or special landscaping treatment equal to one percent (1%) of the total estimated cost of the project. The one percent (1%) calculation shall only apply to construction or renovation of capital projects which have an estimated construction cost of at least \$50,000.00 and shall not apply beyond the first \$50,000,000 of any projects with an estimated cost in excess of \$50,000,000.

**BACKGROUND:**

City staff has been working with the Public Art Commission since January 2016 to create a Public Art Ordinance for the City. One element of the Public Art Ordinance focuses on creation of a mural program, which will specify criteria for murals on publicly and privately owned buildings Citywide. Other elements of the ordinance include a provision for “Pop Up Art”, and consideration of a percent for public art program.

The City Commission continued this item on August 8, 2016 to allow the Public Art Commission to meet and discuss the following changes to the ordinance:

- Inform the public of public art opportunities and allow public participation in all phases of the City's public art process. To further this end, a placard sign giving notice at least 10 days prior to a public meeting on any application to be considered by the Commission shall be erected on the premises where the Public Work of Art is proposed to be placed. Such placard signs shall be furnished by the Planning Department; shall be weather resistant; shall have a minimum size of 11 by 17 inches; shall show the application number, a statement of the proposed action, the scheduled date, time and place of the meeting, and the telephone number to call for further information. Such placard signs, to the extent practicable, shall be erected within 10 feet of any traveled public right-of-way. The lower edge of the sign shall, to the extent practicable, be of sufficient height to be read from the roadway. The placard sign shall not be removed from the premises until a decision on the application has been rendered by the Commission. The Commission shall develop other means and methods to involve the public in its proceedings and deliberations.
  
- Provide an annual report to the City Commission relating to the display of Public Works of Art at City Facilities and Publicly Owned Property and other activities of the Public Art Commission which report shall include, at a minimum, an evaluation of the condition, relevance and appropriateness of Public Works of Art that are on display.

The City Clerk published notice of the public hearing in the Sanford Herald on July 24, 2016.

**LEGAL REVIEW:**

The City Attorney has been working with City staff and the Public Art Commission in developing an array of concepts to implement a public art program within the City. The Arts Commission would engage in a variety of projects designed to promote public arts in Sanford. The Commission's activities would be the review of existing public art and proposed public arts projects through establishing a review process. Approved projects would require execution of an easement with the City in order to install the project and will require maintenance by the property owner. A proposed funding source for the Public Art Commission is included in the proposed Ordinance. The Public Art Commission would like to develop other programs and engage in other activities that enhance the quality of life of City residents and further encourage visitors to travel to the City and engage in economic and other activities for the benefit of the City.

**RECOMMENDATION:**

City staff recommends that the City Commission adopt Ordinance No. 4385, amending City Code relating to Public Art and related matters.

**SUGGESTED MOTION:**

"I move to adopt Ordinance No. 4385."

Attachment: Ordinance No. 4385 – Public Art